

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KARLA WEST,)
)
Plaintiff,)
)
v.) No.: 3:08-CV-124
) (VARLAN/SHIRLEY)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

ORDER

This Social Security appeal is before the Court on the Report and Recommendation filed by United States Magistrate Judge C. Clifford Shirley on June 23, 2009. [Doc. 20.] There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Magistrate Judge Shirley recommended that plaintiff's motion for summary judgment [Doc. 13] be denied and that the Commissioner's motion for summary judgment [Doc. 18] be granted.

The Court has carefully reviewed this matter, including the underlying pleadings. [Docs. 13; 15; 18; 19.] The Court is in agreement with Magistrate Judge Shirley's recommendation which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 20], the Motion for

Judgment of Plaintiff Karla West [Doc. 13] is **DENIED** and that the Commissioner's Motion for Summary Judgment [Doc. 18] is **GRANTED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE